

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ARMONI MASUD JOHNSON,

:

Plaintiff

:

v.

: 3:18-CV-592

: (JUDGE MARIANI)

SGT. BIENKOSKI, et al.,

:

Defendants

:

ORDER

AND NOW, THIS 3rd DAY OF August, 2018, upon de

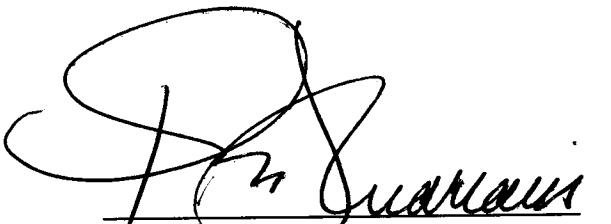
novo review of Magistrate Judge Carlson's Report and Recommendation ("R&R") (Doc. 9),

IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. 9) is **ADOPTED** for the reasons set forth therein.
2. To the extent that Plaintiff's response to the R&R (Doc. 14) can be liberally construed as objections, those objections are **OVERRULED**. Plaintiff's response sets forth a number of alleged facts and assertions not included within the Complaint screened by Magistrate Judge Carlson. In light of this Court's adoption of the Magistrate Judge's recommendation that Plaintiff be granted leave to amend his Complaint, Plaintiff should recite in his Amended Complaint any facts or allegations set forth in his response which he deems necessary to properly state a claim upon which relief can be granted, as well as all other necessary factual allegations as explained in the R&R.

3. Plaintiff's Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE** with respect to Defendants Beck, DeLuca, Demming, White, Bohinski, Corbett, and Josefowicz. Plaintiff's claim that Defendant Bienkoski wrongfully confiscated cosmetics from him in March, 2016, is also **DISMISSED WITHOUT PREJUDICE**. Plaintiff shall file an Amended Complaint within **20 days of the date of this Order**.

4. The case is **REMANDED** to Magistrate Judge Carlson for further proceedings consistent with this Order.



Robert D. Mariani
United States District Judge